

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MILDRED W. FINCH, <i>et al.</i>)	CASE NO. C-1-02-132
)	
Plaintiffs,)	JUDGE SANDRA S. BECKWITH
)	
v.)	
)	
GEORGE FIORINI, <i>et al.</i> ,)	MOTION FOR LEAVE TO
)	<u>WITHDRAW AS COUNSEL</u>
Defendants.)	

Pursuant to Loc. R. 83.5(e), John R. Climaco, David M. Cuppage and Scott D. Simpkins of the law firm of Climaco, Lefkowitz, Peca, Wilcox & Garofoli Co., LPA, hereby request leave to withdraw as counsel for Defendant Sanitec Ltd. in this action. Sanitec, Ltd. has retained new counsel including, without limitation, Dan L. Makee of the law firm McDonald, Hopkins Co., L.P.A. and Richard J. Oparil of the law firm Patton Boggs LLP. As a result, Sanitec, Ltd. will not be prejudiced by this withdrawal.

Accordingly, John R. Climaco, David M. Cuppage and Scott D. Simpkins of the law firm of Climaco, Lefkowitz, Peca, Wilcox & Garofoli Co., LPA respectfully request that this Court grant them leave to withdraw as counsel for the Moving Parties in this action.

Respectfully submitted,

/s/ Scott D. Simpkins

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CERTIFICATE OF SERVICE

I hereby certify that on December 29, 2003, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. In addition, Sanitec, Ltd., David Kaye, President, 17555 Venture Blvd., Suite 200, Encino, CA 91316, was served with a copy of the foregoing by United States certified mail return receipt requested this 29th day of December, 2003.

/s/ Scott D. Simpkins

Scott D. Simpkins